



Defense Logistics Agency

Defense National Stockpile Center

IGD 1003: LEGAL AND OTHER REQUIREMENTS

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1.0 PURPOSE

This IGD establishes and maintains the process for identifying and accessing legal and other requirements that headquarters and Depot personnel adopt. This process incorporates all environmental aspects, and safety and occupational health risks identified for the installation activities, commodities and services. This IGD applies to all employees of the DNSC who are responsible for defining, assessing, and updating environmental legal and other requirements.

2.0 PROCESS

2.1 Elements

The ESOHMS integrates the following legal and other associated requirements into the implementation of the ESOHMS:

- a) Federal, State, and local laws and regulations.
- b) Agreements with Regulatory and other Governmental Agencies.
- c) Non-Regulatory Guidelines, e.g., standards of performance excellence attributed to various assessments and benchmarking studies
- d) DOD/DLA policies and directives

2.2 Directorate of Environmental Management and Safety Responsibilities

The Director of Directorate of Environmental Management and Safety is responsible for identifying and communicating all relevant legal requirements, federal, state and local, to the various business units.

The Directorate of Environmental Management and Safety may work with legal counsel to track, review and comment on proposed environmental legislative/regulatory initiatives of consequence to DNSC.

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3.0 EXAMPLES OF ESOHMS SUPPORTING DOCUMENTATION REFERENCES

The references listed below are not intended to be all inclusive but rather to provide examples of typical documentation and records, illustrative of the ESOHMS and are not necessarily controlled by this IGD.

- 3.1 [Table 3, IGD 1003-3.1 Pertinent Federal Laws that Impact DNSC Activities](#)
- 3.2 [Table 4, IGD 1003-3.2 State Environmental Regulations and Legislations](#)
- 3.3 [Environmental Program Functional Element Assignments](#)
- 3.4 [Environmental Issues Matrix](#)
- 3.5 [Operational Control Matrix](#)
- 3.6 [Legal Identification and Clarification Process for Environmental Aspects That Apply to DNSC's ESOHMS](#)

TABLE 3
IGD 1003 - 3.1
PERTINENT FEDERAL LAWS THAT IMPACT DNSC ACTIVITIES

YEAR ENACTED	STATUTE	ENFORCEMENT OBJECTIVES	DNSC ENFORCEMENT INVOLVEMENT
1970	National Environmental Policy Act (NEPA) Regulation: 42 USC 4321-4370; various topical areas throughout CFR including 7, 10, and 29.	One of the most far-reaching environmental policies. Its purpose is to encourage a harmony between activities in business, social communities, and the environment. Although much of the language is vague, it addresses issues to attain the widest range of beneficial use of resources without causing undesirable effects to the environment.	Literally all activity undertaken by the DNSC is somehow governed by this act. One such important activity is the mercury environmental impact statement.
1970	Occupational Safety and Health Act (OSHA)	This act regulates the handling and managing of hazardous materials in the workplace by providing employee "right-to-know"	DNSC depots maintain a complete set of material safety data sheets (MSDS) for commodities/chemicals stored and used at the installation. Depots also insure that Fire



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		information and emergency response training.	Departments and local Emergency Response Departments are aware of depot activities and commodities/chemicals stored.
1970	Clean Air Act (CAA) Regulation: 40 CFR 50-99	Emissions of pollutant to the atmosphere are regulated by this act. Enforcement is done through the requirement of state air quality implementation plans and operating permits for sources of toxic and hazardous air pollutants.	No DSNC facility operation requires permitting. Fugitive dust generated during out loading of ores, minerals and metals may potentially fall within this legislation. DNSC depots assure that dust generated either on the roadways or during out loading is minimized through the application of water or other engineering devices (ex. fans, alternate loading procedures).
1972	Federal Insecticide, Fungicide & Rodenticide Act (FIFRA) Regulation: 40 CFR 150-189	This law provides information for the environmentally safe use of pesticides and herbicides.	Each DSNC depot follows a Pest Management Plan that includes the requirements for application/use of these chemicals as warranted.
1972	Clean Water Act (CWA) Regulation: 40 CFR 100-145; 220-232; 410-471	Provisions for regulating discharge of wastewater to rivers and streams or to publicly owned treatment works are included within this policy.	DNSC have spill prevention and storm water runoff plans as dictated within this act. These are "living" documents and change as the facility and its stored commodities change. Depot personnel receive annual training to assure they are aware of these changes. Also depot personnel are an integral part in defining best management practices (BMP's) that can be used to insure the directives within this law are met.
1974	Safe Drinking Water Act (SDWA) Regulation: 40 CFR 40	Standards for drinking water quality and operation of public water treatment plants, as well as injection of wastes (including septic tanks) are all addressed within this act.	Most of the DSNC locations are on public water supplies and are not directly affected by this legislation; however, several depots use bottled water and are exempt from testing.
1975	Hazardous Material Transportation	The Department of Transportation regulates this act and it includes laws about all packaging	DNSC facilities transport commodities that may fall within this guidance, all shipping orders contain specific procedures for



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	Act (HMTA) Regulation: 49 CFR 100-180	and transportation of hazardous materials.	transport of such commodities.
1976	Toxic Substances Control Act (TSCA) Regulation: 40 CFR 700-799	Regulation of the manufacture and use of most chemicals including asbestos and polychlorinated biphenyls (PCB's) are included within this legislation. Reporting, labeling, use restrictions, and record keeping of chemicals that pose risk to health and the environment are required.	DNSC has removed PCB containing transformers from all depots, and all stored asbestos has been removed.
1976	Resource Conservation & Recovery Act (RCRA) Regulation: 40 CFR 240-299	Generation, transportation, treatment, and disposal of hazardous and non-hazardous wastes are discussed within this act. Storage of fuel/commodity within underground storage tanks is also addressed.	DNSC depots maintain strict compliance with and make improvements to their operations to better address all the facets of this law. All underground storage tanks have been removed from all depots.
1980	Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Regulation: 40 CFR 300-311	This act is usually referred to as the "Superfund" act and requires reporting hazardous substance spills while establishing liability for cleanup of the spills. The law has provisions that delineate potentially responsible parties (PRP's) so they can assess liability for cleaning up former spills.	As you can imagine this regulation can cause legal challenges and is one that will require continued involvement. As we leave sites, assessments are done to see what "footprint" our storage has made on the environment. Past land use has a huge impact on these findings. Although negative impacts may not have been part of DNSC operating procedures, we may be held accountable. DNSC depots make every effort to assure we have data and knowledge of past and present operating procedures. Also, to comply with this law, depot personnel interact with community members through the establishment of community advisory boards (CABs). CABs are formed when there is sustained interest in a local community to periodically meet with DNSC personnel to review technical



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			information developed during and following the Remedial Investigation phase of the Installation Restoration Program.
1986	Emergency Planning and Community Right to Know Act (EPCRA) Regulation: 40 CFR 350-374	This law is also known as Title III of the Superfund Amendment Reauthorization Act (SARA title III). It provides employees and citizens access to information about hazardous substances/material in their community.	DNSC depots annually submit information (Toxic Chemical Inventory Form, Toxic Chemical Release Form) to governing agencies listing substances and commodities relative to this act. Additionally DNSC depots maintain and make accessible all Material Safety Data Sheets (MSDS) relative to depot operations. Depots also follow directives stipulated in their emergency planning notification document, as regulated by this act.

TABLE 4
IGD 1003-3.2
STATE ENVIRONMENTAL REGULATIONS AND LEGISLATIONS

Alabama

Last Updated July 19, 2005